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d) reading the encoded digital video bit stream out of the encoder buffer at the second bit rate; and transmitting the encoded digital video bit stream to a decoder buffer at the second bit rate.

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5. (five times amended) A video signal encoding apparatus for encoding a received digital video signal for transmission, the apparatus comprising:

I2  
an encoder stage for encoding a received video signal according to a predetermined coding algorithm and producing the encoded video signal as a variable bit-rate data stream at an output of said encoder stage;

a buffer coupled to receive said variable bit-rate data stream from the encoder stage and arranged to output a data signal corresponding thereto for transmission; and

means coupled to said encoder stage to (i) detect the bit-rate of said variable bit-rate data stream, (ii) derive a second bit rate as a percentage of the detected bit-rate, which percentage changes in inverse relation to changes in the detected bit rate, (iii) control said buffer to produce said output data signal at second bit rate, and (iv) transmit the output data signal to a decoder buffer at the second bit rate; wherein the detected bit rate and said second bit rate are variable.

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#### The Rejection under 35 U.S.C. § 102

The Examiner rejected Claims 1-12 and 14 as being anticipated by Kiriya, as set forth in the Office Action of February 2, 1999